

107TH CONGRESS  
1ST SESSION

# H. R. 3428

To amend the Emergency Steel Loan Guarantee Act of 1999 to revise eligibility and other requirements for loan guarantees under that Act.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2001

Mr. LATOURETTE (for himself Mr. KUCINICH, Mrs. JONES of Ohio, and Mr. TRAFICANT) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To amend the Emergency Steel Loan Guarantee Act of 1999 to revise eligibility and other requirements for loan guarantees under that Act.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENTS TO EMERGENCY STEEL LOAN**  
4 **GUARANTEE ACT OF 1999.**

5 (a) REQUIREMENTS FOR LOAN GUARANTEES.—Sec-  
6 tion 101(g) of the Emergency Steel Loan Guarantee Act  
7 of 1999 (Public Law 106–51) is amended—

8 (1) by striking “A loan guarantee” and insert-  
9 ing “(1) A loan guarantee”;

1           (2) by redesignating paragraphs (1) through  
2           (5) as subparagraphs (A) through (E), respectively;  
3           (3) in paragraph (1)(B) (as redesignated), by  
4           striking “the prospective earning power” and insert-  
5           ing “except as provided in paragraph (2), the pro-  
6           spective earning power”; and

7           (4) by adding at the end the following:

8           “(2) If the Board determines that a qualified steel  
9           company does not meet the requirement of paragraph  
10          (1)(B), the Board may waive such requirement if the  
11          Board further determines that—

12           “(A) the inability of the company to satisfy  
13           such requirement is due to reasons of financial hard-  
14           ship beyond the control of the company;

15           “(B) the company has demonstrated a good  
16           faith effort to be cost efficient in its business prac-  
17           tices; and

18           “(C) the issuance of a loan guarantee under  
19           this section for the company is in the national secu-  
20           rity interests of the United States.”.

21          (b) GUARANTEE LEVEL.—Section 101(h)(4) of the  
22          Emergency Steel Loan Guarantee Act of 1999 is  
23          amended—

24           (1) by striking “No loan guarantee” and insert-  
25           ing the following:

1           “(A) IN GENERAL.—Except as provided in  
2           subparagraph (B), no loan guarantee”; and  
3           (2) by adding at the end the following:

4           “(B) EXCEPTION.—A loan guarantee pro-  
5           vided under this section may exceed 85 percent  
6           of the amount of the principal of the loan, but  
7           may not exceed 95 percent of such amount, if  
8           the Board determines that the aggregate  
9           amount of steel imported into the United States  
10          during the prior year exceeds 30 percent of the  
11          aggregate amount of steel produced in the  
12          United States during that year.”.

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